

SPECIAL PERMIT APPLICATION

Prepared for Emily and James Moore
30 Elm St.
Map 38, Parcel 38
Lenox Dale, MA 01242



September 1, 2023

LIST OF MATERIALS SUBMITTED WITH THIS APPLICATION

1. Lenox Zoning Board of Appeals Petition
2. Project Narrative
3. Assessors Map
4. Property Record Card
5. Plans
 - a. C001 - Taconic Land Consultants - Existing Site Conditions
 - b. C101 - Proposed Site Plan [8/15/2023]
 - c. A101 - Proposed Floor Plan [8/15/2023]
 - d. A201-204 - Building Elevations [8/15/2023]

The Commonwealth of Massachusetts
TOWN OF LENOX

Filing fee is due with the petition. If hearing expenses exceed this amount the Zoning Board of Appeals will bill the petitioner.

The undersigned hereby petitions the Town of Lenox Zoning Board of Appeals for:

☒ A Special Permit for exception under the provisions of Section 6.1.1 of the Town of Lenox Zoning By-Law.

☐ A Variance from the following provisions of Section _____ of the Town of Lenox Zoning By-Law.

To permit the following use or activity (describe proposed use or activity):

For premises:

Owner of Record Emily and James Moore


Address 30 Elm St. Lenox Dale

Map and Parcel Map 39, Lot 39

Zoned as R-15, R-1A

Deed Reference Book 7444 Page 317

(This information is available from the Assessor's Office or townoflenox.com in the Property Assessments-Online Database section.)

Petitioner 
(Your signature _____ that you agree to pay all hearing expenses relative to this petition.)

Address (Mailing Address) P.O. Box 77 Lenox Dale, MA 01242

Telephone Number 612.876.1497

Email address jmoore@hga.com

Date August 31, 2023

PROJECT NARRATIVE

Lenox Zoning Board of Appeals Building Addition at 30 Elm St. Lenox Dale

Project Location: The existing single-family home is located at 30 Elm Street and is identified on Lenox Assessors Maps as; Map 39 Parcel 39.

Application Basis: The existing lot is zoned R-15 and will require a Special Permit from the Lenox Zoning Board of Appeals for the proposed building addition to the existing structure.

The proposed work is covered in Section 5 of the Lenox Zoning By-Laws; "Use Regulations". Specifically under section 5.3.3. Nonconforming Structures: *"The Board of Appeals may grant to reconstruct, extend, alter, or change a nonconforming structure in accordance with this section, only if it determines that such reconstruction, extension, alteration or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood"* and under section 5.3.5. Nonconforming Single-Family Residential Structures: *"If the Building commissioner determines that the nonconforming nature of such structure would be increased by the proposed reconstruction, extension, alteration or change, the Board of Appeals may, by special permit, allow such reconstruction, extension, alteration or change where it determines the proposed modification will not be more detrimental than the existing nonconforming structure to the neighborhood"*.

	REQUIRED	EXISTING	PROPOSED
Min. Lot Area	15,000	11,783	11,783
Min. Lot Frontage	85'	50'	50'
Min. Lot Width	85'	50'	50'
Front Setback	35'	> 35'	>35'
Side Setback West	20'	13.24'	12'
Side Setback East	20'	6.6'	6.6'
Rear Setback	20'	> 20'	>20'
Maximum Height	35'	28.37'	28.37'
Maximum Lot Coverage	20%	12.50%	15.30%

TABLE 6.1.1

Conclusion: After speaking with Don Fitzgerald and Gwen Miller about our intentions listed in this application, both have recommended to apply for a special permit. The current lot width is 50'-0", therefore any addition that is proposed will be within the property setbacks. The site is currently nonconforming and side yard dimensions measures less than the 20'-0" that is required. **The building addition will not increase the nonconformity on either side of the house.** The project will not increase traffic flow to the area, nor will it affect the adequacy of utilities or any other public services.

The project will not change the character of the neighborhood, as it appears the adjacent single-family homes on Elm Street are also nonconforming with their side setbacks.

LEGAL

LAND

DETACHED

BUILDING

[illegible]

TOTAL	6,000 SF	ZONING	R15	FRNT	0	ASSESSED	CURRENT	PREVIOUS
Nbhd	Lenox Dale	N O T E	ADJ=SHAPE			LAND	47,700	39,800
Inf1	05% BAD		BUILDING	184,300	150,800			
Inf2	AVG		DETACHED	15,000	13,600			
			OTHER	0	0			
					TOTAL	247,000	204,200	

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD
DGC	A	1.00	50 0.50	20 X 34	680	44.20	15,000

PHOTO 11/07/2013

BUILDING	CD	ADJ	DESC	MEASURE	11/4/2013	RJM	BLDG COMMENTS
MODEL	1		RESIDENTIAL				EXT=CLAPBD & WD SHINGLE
STYLE	7	1.05	CONV/OLD STYLE [100%]	LIST	11/4/2013	EST	
QUALITY	A	1.00	AVERAGE [100%]				
FRAME	1	1.00	WOOD FRAME [100%]	REVIEW	1/4/2014	RJM	

[illegible]

SURVEY OF LAND
in
LENOX, MASSACHUSETTS
Prepared for
JAMES V. MOORE
EMILY CARR MOORE
August 2, 2023

BEING THAT LAND DESCRIBED IN
MIDDLE BERKSHIRE REGISTRY OF DEEDS:

BOOK: 7444 ~ PAGE: 317
GRANTOR: Jared & Andrew J. Outmann - Trustees
GRANTOR: Robert John Outmann 2017 Family Trust
GRANTEE: James V. & Emily Carr Moore
DATED: June 2 & 14, 2023

TAX MAP INFORMATION

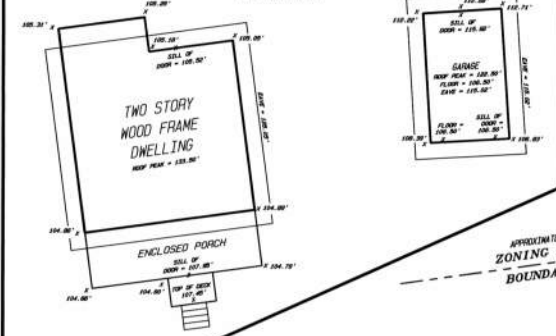
LOT 1 IS TAX MAP 38, LOT 38
LOT 1 IS KNOWN AS 30 ELM STREET

ZONING INFORMATION

LOT 1 IS ZONED: R-15 & R-1A

HOUSE & GARAGE DETAIL

NOT DRAWN TO SCALE



SEE ALSO
BOOK 430, PAGE 231
GRANTOR: LOUIS E. & GEORGE H. BESANSON
GRANTEE: VICTOR STRONGER JR.
DATED: JUNE 14, 1929

N/F LAND OF
DANIEL LISTON
GARRY T. LISTON
SALLY VINCENT
(BK 1735 PG 86)

NOTE: SEE FILED PLAN ENTITLED
"PLAN OF LAND IN"
LENOX, MASSACHUSETTS
OWNERS: CHARLES J. & CARMEN C. LISTON
SCALE 1" = 50' - NOVEMBER 16, 1988
BY: CHARLES J. LISTON
RECORDED: PLAT B, PLAN 163

APPROXIMATE LOCATION OF
ZONING DISTRICT
BOUNDARY LINE



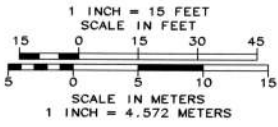
LEGEND

- IRON PIPE SET OR TO BE SET
- IRON PIPE FOUND
- FIELD STONE WALL FOUND
- REMAINS OF FENCE FOUND
- MONUMENT FOUND
- OUTLINES PERIMETER OF SURVEY
- UNMONUMENTED COMPUTED POINT
- NTS NOT TO SCALE
- SURVEY TIE COURSE
- ABUTTER LINE OR STREET LINE
- UTILITY POLE
- N/F NOW OR FORMERLY

TABLE OF COURSES

#	BEARING	LENGTH	ARC LENGTH
L1	S40° 53' 37" W	2.94'	
L2	S69° 23' 35" W	5.59'	
L3	N76° 08' 23" E	04.14'	
L4	S55° 28' 39" W	0.08'	

CONTOUR INTERVAL = ONE FOOT
VERTICAL DATUM = LOCAL ASSUMED



LOCUS MAP

TACONIC LAND CONSULTANTS
LAND SURVEYORS & GEOLOGISTS
ENVIRONMENTAL CONSULTANTS
44 IMPERIAL STREET
LANESBOROUGH, MA 01237
(413) 489-8978 ~ 489-1512 FAX

SURVEYOR SEAL



SURVEYOR CERTIFICATIONS

I declare that this plan conforms to the Rules and Regulations of the Register of Deeds.
I declare that the property lines shown hereon are the lines dividing existing ownerships, and the lines of streets and ways shown are those of public or private streets or ways already established, and that no new ways are shown.

PLANNING BOARD ENDORSEMENT DOES NOT IMPLY THAT LOTS SHOWN HEREON ARE RULABLE. NOR DOES IT IMPLY THAT THEY MEET THE MASSACHUSETTS WETLAND PROTECTION ACT, TITLE 5, OR TOWN BY-LAWS.
APPROVAL UNDER THE SUBDIVISION CONTROL LAW IS NOT REQUIRED
CHAIRMAN:

DATE: _____
TOWN OF LENOX
PLANNING BOARD

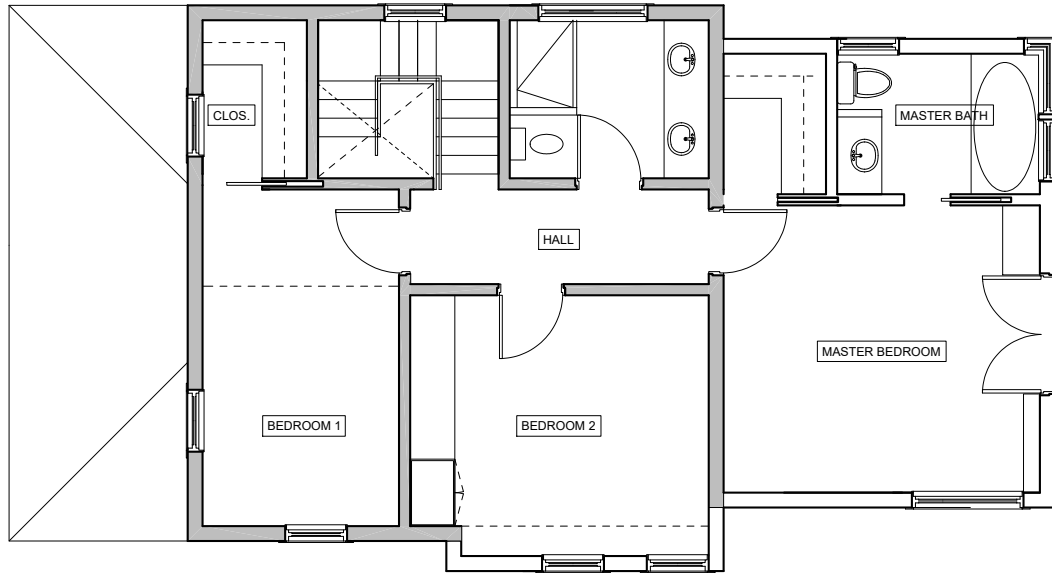
JOB NUMBER: 23-100-2
COMPUTED BY: PMM
FIELD CREW: PMM & MJB
DRAWN BY: CHM
EQUIPMENT USED: NIKON TOPCON 4" TOTAL STATION & STEEL TAPE
CHECKED BY: PMM
DEED RESEARCH BY: PMM
FIELD NOTE BOOK: JOB FOLDER
DATA DISK: 23-100

MASSACHUSETTS LICENSED LAND SURVEYOR

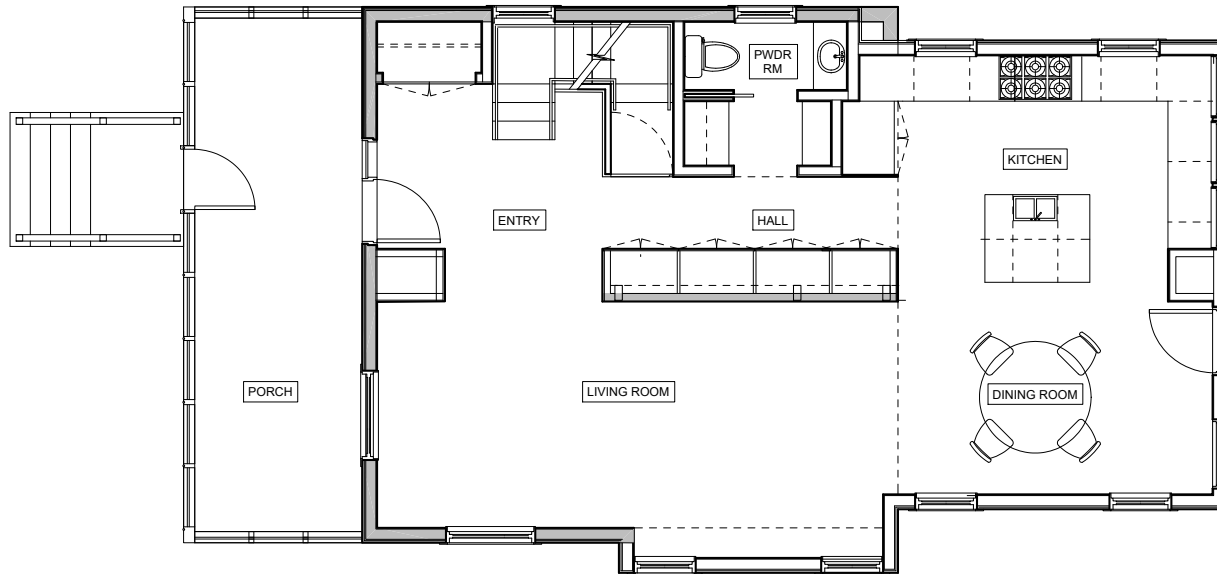
MASSACHUSETTS LICENSED LAND SURVEYOR

DATE: AUGUST 2, 2023

DATE: AUGUST 2, 2023



SECOND FLOOR PLAN ②
1/4" = 1'-0"



FIRST FLOOR PLAN ①
1/4" = 1'-0"

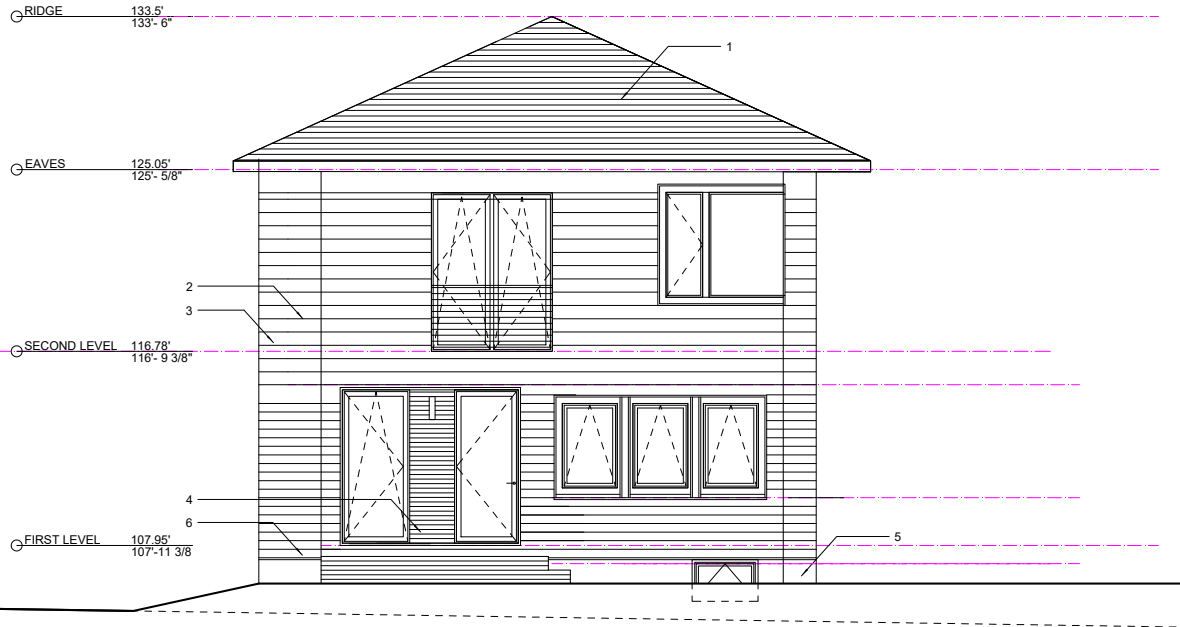
Elm Street Property
30 Elm Street
Lenox Dale, MA 01242

FLOOR PLANS

A 2.1

SPECIAL PERMIT APPLICATION

9/1/2023



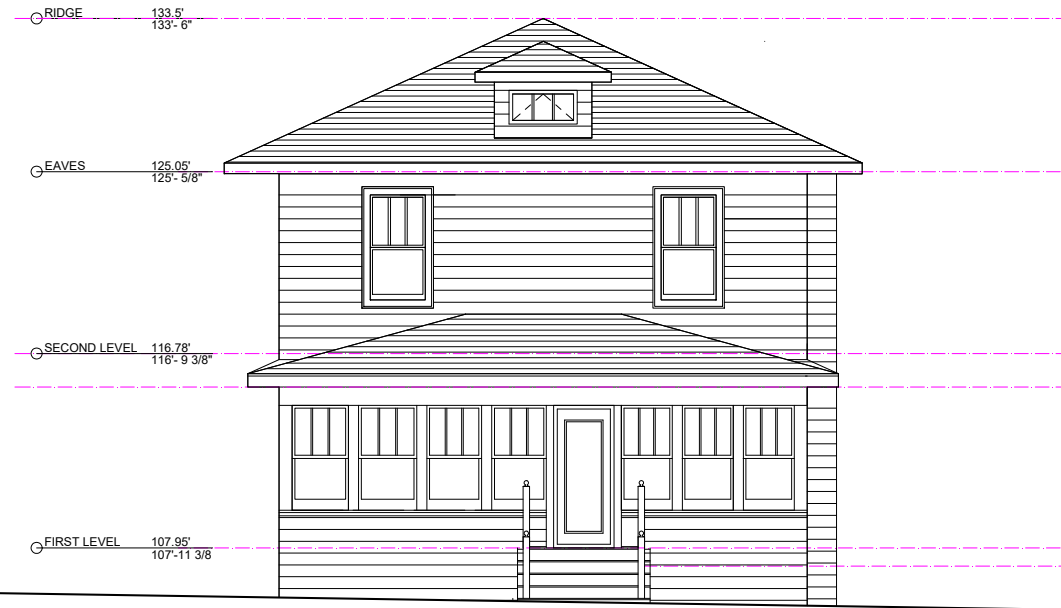
MATERIAL KEY

1. Architectural fiberglass shingle. Alternate for standing seam aluminum.
2. Composite shingle cladding to match existing.
3. Composite clapboard cladding and trim to match existing.
4. Western Red Cedar clapboard with clear Sikkens Cetol finish.
5. Cement stucco parge over foundation insulation.
6. Western Red Cedar Decking with Sikkens Cetol finish

NORTH ELEVATION ①
1/4" = 1'-0"



WEST ELEVATION ②
1/4" = 1'-0"



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SOUTH ELEVATION ①
1/4" = 1'-0"



EAST ELEVATION ②
1/4" = 1'-0"